C	ase 2:07-cr-00550-RBS Document 1424 Filed 06/03/13 Page 1 of 31		
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1	IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA		
2	FOR THE EASTERN DISTRICT OF FEMNSILVANIA		
3	UNITED STATES OF AMERICA : CRIMINAL ACTION		
4	vs.		
5	KABONI SAVAGE, :		
6	KIDADA SAVAGE, : STEVEN NORTHINGTON, :		
7	ROBERT MERRITT : NO. 07-00550		
8	PHILADELPHIA, PENNSYLVANIA May 13, 2013		
9	BEFORE HONORABLE R. BARCLAY SURRICK, J. VERDICT - DAY 55		
10			
11	APPEARANCES:		
12	FOR THE GOVERNMENT: U.S. ATTORNEY'S OFFICE		
13	BY: DAVID TROYER, ESQUIRE		
	JOHN GALLAGHER, ESQUIRE STEVEN MELLIN, ESQUIRE		
14	615 Chestnut Street, Suite 1250 Philadelphia, Pennsylvania 19106		
15			
16	FOR KABONI SAVAGE: LAW OFFICE OF WILLIAM J. PURPURA		
17	BY: WILLIAM J. PURPURA, ESQUIRE The Bonaparte Building		
18	6 East Mulberry Street Baltimore, Maryland 21202-2105		
19			
20	RUBINO & HOEY, LLC BY: CHRISTIAN J. HOEY, ESQUIRE		
21	50 Darby Road Paoli, Pennsylvania 19301		
22	raori, remisyrvania 19301		
23			
24			
25			
	Gregg B. Wolfe, RPR, CM		

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1	FOR KID	ADA SAVAGE:	BARTON & PHILLIPS
2			BY: CHRISTOPHER PHILLIPS, ESQUIR: 1518 Walnut Street, Suite 1406
3			Philadelphia, Pennsylvania 19102
4			TERESA WHALEN, ESQUIRE 801 Wayne Avenue, Suite 400
5			Silver Spring, Maryland 20910
6 7	FOR STE	VEN NORTHING	FON: THOMAS C. EGAN, III, ESQUIRE 621 Swede Street Norristown, Pennsylvania 19401
			·
9			WILLIAM L. BOWE, ESQUIRE 153 East Wolfert Station Road Mickleton, New Jersey 08056
10			
11	FOR ROB	ERT MERRITT:	McKINNEY & GEORGE BY: PAUL M. GEORGE, ESQUIRE 239 S. Camac Street
12			Philadelphia, Pennsylvania 19107
13 14			WILLIAM R. SPADE, JR., ESQUIRE 1525 Locust Street, Suite 1400
15			Philadelphia, Pennsylvania 19102
16			
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21			
22			
23			B. WOLFE, RPR, CM ial Court Reporters
24		601 Marl	ket Street, Room 1234 nia, Pennsylvania 19106
25		T-	. 4
		Greg	g B. Wolfe, RPR, CM 215-460-1511

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 1
                 (The Court began the proceedings at
 2
     3:45 \text{ p.m.}
                   THE COURT: All right, counsel, we
 3
     received a note from the jury indicating that
 4
 5
     they've reached a verdict. We're going to bring
 6
     them in and take that verdict. Okay?
 7
               (The jury entered the courtroom
 8
     at 3:45 p.m.)
 9
                   THE COURT: All right, have a seat,
10
     ladies and gentlemen.
11
              All right, will the foreperson of the
12
     jury please rise?
13
              Madam Forelady, I understand that you
     have reached a verdict in this case; is that
14
15
     correct?
16
                  MADAM FORELADY: Yes, we have.
17
                   THE COURT: May I see the verdict
18
     slip first, please?
19
               (Verdict slip handed to the Court.)
20
                   THE COURT: All right,
21
     Ms. Franzese, will you please take the verdict?
22
23
                   THE CLERK: Members of the jury,
24
     having agreed on a verdict, will the foreperson
25
     please answer?
                     Gregg B. Wolfe, RPR, CM
                          215-460-1511
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1 Count 1, conspiracy to participate in a 2 racketeering RICO enterprise, in violation of 3 18 United States Code Section 1962(d). You, the jury, as to Count 1, unanimously find the defendant, Kaboni Savage, 5 6 quilty or not quilty? 7 MADAM FORELADY: Guilty. 8 THE CLERK: You, the jury, as to Count 1, unanimously find the defendant, 9 Robert Merritt, quilty or not quilty? 10 11 MADAM FORELADY: Guilty. 12 THE CLERK: You, the jury, as to 13 Count 1, unanimously find the defendant, Steven 14 Northington, quilty or not quilty? 15 MADAM FORELADY: Guilty. 16 THE CLERK: You, the jury, as to 17 Count 1, unanimously find the defendant, 18 Kidada Savage, guilty or not guilty? 19 MADAM FORELADY: Guilty. 20 THE CLERK: Special Sentencing 21 Factor Number 1, the drug distribution 22 conspiracy. 23 You, the jury, unanimously find that 24 Sentencing Factor Number 1 as to the defendant,

Gregg B. Wolfe, RPR, CM 215-460-1511

Kaboni Savage, is proven or not proven?

25

MADAM FORELADY: Proven. 1 2 THE CLERK: You, the jury, 3 unanimously find that Sentencing Factor Number 1 as to the defendant, Robert Merritt, is proven 4 5 or not proven? 6 MADAM FORELADY: Not proven. 7 THE CLERK: You, the jury, 8 unanimously find that Sentencing Factor Number 1 9 as to Defendant Steven Northington is proven or 10 not proven? 11 MADAM FORELADY: Not proven. 12 THE CLERK: You, the jury, 13 unanimously find that Sentencing Factor Number 1 14 as to Defendant Kidada Savage is proven or not 15 proven? 16 MADAM FORELADY: Not proven. 17 THE CLERK: Special Factor 18 Number 2, the Kenneth Lassiter murder. 19 You, the jury, unanimously find that 20 Sentencing Factor Number 2 as to Defendant 21 Kaboni Savage is proven or not proven? 22 MADAM FORELADY: Proven. 23 THE CLERK: Special Sentencing 24 Factor Number 3, the Mansur Abdullah murder. 25 You, the jury, unanimously find that Gregg B. Wolfe, RPR, CM 215-460-1511

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ase 2:07-cr-00550-RBS Document 1424 Filed 06/03/13 1 Sentencing Factor Number 3 as to Defendant 2 Kaboni Savage is proven or not proven? 3 MADAM FORELADY: Proven. 4 THE CLERK: Special Sentencing 5 Factor Number 4, the Carlton Brown murder. 6 You, the jury, unanimously find that 7 Sentencing Factor Number 4 as to Defendant 8 Kaboni Savage is proven or not proven? 9 MADAM FORELADY: Proven. 10 THE CLERK: Special Sentencing 11 Factor Number 5, the Barry Parker murder. 12 You, the jury, unanimously find that 13 Sentencing Factor Number 5 as to Defendant 14 Kaboni Savage is proven or not proven? 15 MADAM FORELADY: Proven. 16 THE CLERK: You, the jury, 17 unanimously find that Sentencing Factor Number 5 as to Defendant Steven Northington is proven or 18 19 not proven? 20 MADAM FORELADY: Proven. 21 THE CLERK: Special Sentencing 2.2 Factor Number 6, the Tyrone Toliver murder. 23 You, the jury, unanimously find that 24 Sentencing Factor Number 6 as to Defendant 25 Kaboni Savage is proven or not proven?

Case 2:07-cr-00550-RBS Document 1424 Filed 06/03/13 Page 7 MADAM FORELADY: Proven. 1 2 THE CLERK: Special Sentencing 3 Factor Number 7, the Tybius Flowers murder. You, the jury, unanimously find that 4 Sentencing Factor Number 7 as to Defendant 5 6 Kaboni Savage is proven or not proven? 7 MADAM FORELADY: Proven. 8 THE CLERK: You, the jury, 9 unanimously find that Sentencing Factor Number 7 10 as to Defendant Steven Northington is proven or 11 not proven? 12 MADAM FORELADY: Proven. 13 THE CLERK: Special Sentencing 14 Factors Number 9 through Number 14, the Coleman 15 family murders. 16 You, the jury, unanimously find that 17 Sentencing Factors Number 9 through Number 14 as 18 to Defendant Kaboni Savage are proven or not 19 proven? 20 MADAM FORELADY: Proven. 21 THE CLERK: You, the jury, 22 unanimously find that Sentencing Factors 23 Number 9 through 14 as to Defendant 24 Robert Merritt are proven or not proven? 25 MADAM FORELADY: Proven.

ase 2:07-cr-00550-RBS Document 1424 Filed 06/03/13 Page 8 1 THE CLERK: You, the jury, 2 unanimously find that Sentencing Factors 3 Number 9 through 14 as to Defendant Kidada Savage are proven or not proven? 4 5 MADAM FORELADY: Proven. 6 THE CLERK: Special Sentencing 7 Factor Number 15, witness retaliation resulting 8 in the Coleman family murders. You, the jury, unanimously find that 9 Sentencing Factor Number 15 as to Defendant 10 11 Kaboni Savage is proven or not proven? 12 MADAM FORELADY: Proven. 13 THE CLERK: You, the jury, 14 unanimously find that Sentencing Factor 15 Number 15 as to Defendant Robert Merritt is 16 proven or not proven? 17 MADAM FORELADY: Not proven. 18 THE CLERK: You, the jury, 19 unanimously find that Sentencing Factor 20 Number 15 as to Defendant Kidada Savage is 21 proven or not proven? 22 MADAM FORELADY: Proven. 23 THE CLERK: Count 2, murder in aid 24 of racketeering of Kenneth Lassiter, in 25 violation of 18 United States Code Section

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 1
     1959(a)(1).
 2
              You, the jury, as to Count 2,
 3
     unanimously find the defendant, Kaboni Savage,
     guilty or not guilty?
 4
 5
                  MADAM FORELADY: Guilty.
 6
                   THE CLERK: Count 3, murder in aid
     of racketeering of Mansur Abdullah, in violation
 7
     of 18 United States Code Section 1959(a)(1).
 8
              You, the jury, as to Count 3,
 9
     unanimously find the defendant, Kaboni Savage,
10
11
     quilty or not quilty?
12
                  MADAM FORELADY: Guilty.
13
                  THE CLERK: Count 4, murder in aid
14
     of racketeering of Carlton Brown, in violation
     of 18 United States Code Section 1959(a)(1).
15
16
              You, the jury, as to Count 4,
17
     unanimously find the defendant, Kaboni Savage,
18
     quilty or not quilty?
19
                  MADAM FORELADY: Guilty.
20
                   THE COURT: All right,
21
     Ms. Franzese, you may continue.
22
                   THE CLERK: Count 5, murder in aid
23
     of racketeering of Barry Parker, in violation of
24
     18 United States Code Section 1959(a)(1).
25
              You, the jury, as to Count 5,
                     Gregg B. Wolfe, RPR, CM
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unanimously find the defendant, Kaboni Savage,
 1
 2
     guilty or not guilty?
 3
                  MADAM FORELADY: Guilty.
                  THE CLERK: You, the jury, as to
 4
 5
     Count 5, unanimously find the defendant, Steven
 6
     Northington, guilty or not guilty?
 7
                  MADAM FORELADY: Guilty.
 8
                  THE CLERK: Count 6, murder in aid
     of racketeering of Tyrone Toliver, in violation
 9
10
     of 18 United States Code Section 1959(a)(1).
11
              You, the jury, as to Count 6,
12
     unanimously find the defendant, Kaboni Savage,
13
     guilty or not guilty?
14
                  MADAM FORELADY: Guilty.
15
                  THE CLERK: Count 7, murder in aid
16
     of racketeering of Tybius Flowers, in violation
17
     of 18 United States Code Section 1959(a)(1).
18
              You, the jury, as to Count 7,
19
     unanimously find the defendant, Kaboni Savage,
20
     quilty or not quilty?
21
                  MADAM FORELADY:
                                   Guilty.
22
                  THE CLERK: You, the jury, as to
23
     Count 7, unanimously find the defendant, Steven
24
     Northington, guilty or not guilty?
25
                  MADAM FORELADY: Guilty.
                    Gregg B. Wolfe, RPR, CM
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1
                  THE CLERK: Count 9, conspiracy to
 2
     commit murder in aid of racketeering of the
 3
     Coleman family, in violation of 18 United States
     Code Section 1959(a)(5).
 4
              You, the jury, as to Count 9,
 5
 6
     unanimously find the defendant, Kaboni Savage,
 7
     quilty or not quilty?
 8
                  MADAM FORELADY: Guilty.
                  THE CLERK: You, the jury, as to
 9
10
     Count 9, unanimously find the defendant,
11
     Robert Merritt, guilty or not guilty?
12
                  MADAM FORELADY: Not quilty.
13
                  THE CLERK: Count 10, murder in aid
14
     of racketeering of Marcella Coleman, in
15
     violation of 18 United States Code Section
16
     1959(a)(1).
17
              You, the jury, as to Count 10,
     unanimously find the defendant, Kaboni Savage,
18
19
     guilty or not guilty?
20
                  MADAM FORELADY: Guilty.
21
                  THE CLERK: You, the jury, as to
22
     Count 10, unanimously find the defendant,
23
     Robert Merritt, quilty or not quilty?
24
                  MADAM FORELADY: Not quilty.
25
                  THE CLERK: You, the jury, as to
                    Gregg B. Wolfe, RPR, CM
                          215-460-1511
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1 Count 10, unanimously find the defendant, Kidada Savage, guilty or not guilty? 2 3 MADAM FORELADY: Guilty. THE CLERK: Count 11, murder in aid 4 of racketeering of Tameka Nash, in violation of 5 6 18 United States Code section 1959(a)(1). 7 You, the jury, as to Count 11, 8 unanimously find the defendant, Kaboni Savage, 9 guilty or not guilty? 10 MADAM FORELADY: Guilty. 11 THE CLERK: You, the jury, as to 12 Count 11, unanimously find the defendant, 13 Robert Merritt, quilty or not quilty? 14 MADAM FORELADY: Not quilty. 15 THE CLERK: You, the jury, as to 16 Count 11, unanimously find the defendant, 17 Kidada Savage, guilty or not guilty? 18 MADAM FORELADY: Guilty. 19 THE CLERK: Count 12, murder in aid 20 of racketeering of Sean Anthony Rodriguez, in 21 violation of 18 United States Code Section 22 1959(a)(1). 23 You, the jury, as to Count 12, 24 unanimously find the defendant, Kaboni Savage, 25 guilty or not guilty? Gregg B. Wolfe, RPR, CM 215-460-1511

1 MADAM FORELADY: Guilty. THE CLERK: You, the jury, as to 2 3 Count 12, unanimously find the defendant, Robert Merritt, guilty or not guilty? 4 5 MADAM FORELADY: Not guilty. 6 THE CLERK: You, the jury, as to 7 Count 12, unanimously find the defendant, 8 Kidada Savage, quilty or not quilty? 9 MADAM FORELADY: Guilty. 10 THE CLERK: Count 13, murder in aid of racketeering of Tajh Porchea, in violation of 11 12 18 United States Code Section 1959(a)(1). 13 You, the jury, as to Count 13, 14 unanimously find the defendant, Kaboni Savage, 15 quilty or not quilty? 16 MADAM FORELADY: Guilty. 17 THE CLERK: You, the jury, as to Count 13, unanimously find the defendant, 18 19 Robert Merritt, quilty or not quilty? 20 MADAM FORELADY: Not quilty. 21 THE CLERK: You, the jury, as to 22 Count 13, unanimously find the defendant, 23 Kidada Savage, quilty or not quilty? 24 MADAM FORELADY: Guilty. 25 THE CLERK: Count 14, murder in aid Gregg B. Wolfe, RPR, CM 215 - 460 - 1511

Case 2:07-cr-00550-RBS Document 1424 Filed 06/03/13 Page 1 of racketeering of Khadijah Nash, in violation 2 of 18 United States Code Section 1959(a)(1). 3 You, the jury, as to Count 14, 4 unanimously find the defendant, Kaboni Savage, 5 quilty or not quilty? 6 MADAM FORELADY: Guilty. THE CLERK: You, the jury, as to 7 8 Count 14, unanimously find the defendant, Robert Merritt, guilty or not guilty? 9 10 MADAM FORELADY: Not quilty. 11 THE CLERK: You, the jury, as to 12 Count 14, unanimously find the defendant, 13 Kidada Savage, quilty or not quilty? 14 MADAM FORELADY: Guilty. 15 THE CLERK: Count 15, murder in aid 16 of racketeering of Damir Jenkins, in violation 17 of 18 United States Code Section 1959(a)(1). You, the jury, as to Count 15, 18 19 unanimously find the defendant, Kaboni Savage, 20 quilty or not quilty? 21 MADAM FORELADY: Guilty. 22 THE CLERK: You, the jury, as to 23 Count 15, unanimously find the defendant, 24 Robert Merritt, guilty or not guilty? 25 MADAM FORELADY: Not quilty.

Case 2:07-cr-00550-RBS Document 1424 Filed 06/03/13 Page 1 THE CLERK: You, the jury, as to 2 Count 15, unanimously find the defendant, 3 Kidada Savage, guilty or not guilty? MADAM FORELADY: Guilty. 4 THE CLERK: Count 16, retaliating 5 6 against a witness, Eugene Coleman, by murder, 7 the Coleman family, in violation of 18 United States Code Section 1513. 8 You, the jury, as to Count 16, 9 unanimously find the defendant, Kaboni Savage, 10 11 quilty or not quilty? 12 MADAM FORELADY: Guilty. 13 THE CLERK: You, the jury, as to 14 Count 16, unanimously find the defendant, 15 Robert Merritt, guilty or not guilty? 16 MADAM FORELADY: Not quilty. 17 THE CLERK: You, the jury, as to Count 16, unanimously find the defendant, 18 19 Kidada Savage, quilty or not quilty? 20 MADAM FORELADY: Guilty. 21 THE CLERK: Count 17, using fire to commit a felony, the Coleman murders, in 22 23 violation of 18 United States Code Section 24 844(h)(1). 25 You, the jury, as to Count 17,

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 1
     unanimously find the defendant, Kaboni Savage,
 2
     guilty or not guilty?
 3
                  MADAM FORELADY: Guilty.
                   THE CLERK: You, the jury, as to
 4
 5
     Count 17, unanimously find the defendant,
 6
     Kidada Savage, guilty or not guilty?
 7
                  MADAM FORELADY: Guilty.
                   THE CLERK: Please be seated.
 8
 9
                   THE COURT: With regard to
10
     Robert Merritt on Count 17, there was no answer.
11
     Correct?
12
                   THE CLERK: Correct.
13
                   THE COURT: Is that correct, Madam
14
     Forelady?
15
                  MADAM FORELADY: Yes, that's
16
     correct.
17
                   THE COURT: Counsel, are there any
18
     requests?
19
                  MR. HOEY: One moment, please, Your
20
     Honor.
21
              Your Honor, on behalf of Mr. Savage,
22
     we'd ask that the jury be polled.
23
                  MR. PHILLIPS: On behalf of
24
     Kidada Savage, I'd ask that the jury be polled.
25
                   THE COURT: Will you poll the jury,
                     Gregg B. Wolfe, RPR, CM
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 1
     please?
 2
                   THE CLERK: Juror Number 1, please
 3
     rise.
              Do you agree with the verdict as stated
 4
 5
     by the Forelady?
 6
                  JUROR NO. 1: Yes, I do.
 7
                   THE CLERK: Thank you. Please be
     seated.
 8
 9
              Juror Number 2, please rise.
10
              Do you agree with the verdict as stated
11
     by the Forelady?
12
                   JUROR NO. 2: Yes, I do.
13
                   THE CLERK: Thank you. Please be
14
     seated.
15
              Juror Number 3, please rise.
16
              Do you agree with the verdict as stated
17
     by the Forelady?
18
                   JUROR NO. 3: Yes, I do.
19
                   THE CLERK: Thank you. Please be
20
     seated.
21
              Juror Number 4, please rise.
22
              Do you agree with the verdict as stated
23
     by the Forelady?
24
                  JUROR NO. 4: I do.
25
                   THE CLERK: Thank you. Please be
                     Gregg B. Wolfe, RPR, CM
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 1
     seated.
 2
              Juror Number 5, do you agree with the
 3
     verdict as stated by the Forelady?
                   JUROR NO. 5: I do.
 4
 5
                   THE CLERK: Thank you. Please be
 6
     seated.
 7
              Juror Number 6, please rise.
 8
              Do you agree with the verdict as stated
 9
     by the Forelady?
                   JUROR NO. 6: Yes, I do.
10
11
                   THE CLERK: Thank you. Please be
12
     seated.
13
              Juror Number 7, please rise.
14
              Do you agree with the verdict as stated
15
     by the Forelady?
16
                   JUROR NO. 7: Yes, I do.
17
                   THE CLERK: Thank you, please be
18
     seated.
19
              Juror Number 8, please rise.
              Madam Forelady, do you agree with the
20
     verdict as stated?
21
22
                  MADAM FORELADY: Yes, I do.
23
                   THE CLERK: Thank you. Please be
24
     seated.
25
              Juror Number 9, please rise.
                     Gregg B. Wolfe, RPR, CM
                          215-460-1511
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 1
              Do you agree with the verdict as stated
 2
     by the Forelady?
 3
                  JUROR NO. 9: Yes, I do.
                   THE CLERK: Thank you. Please be
 4
 5
     seated.
 6
              Juror Number 10, please rise.
 7
              Do you agree with the verdict as stated
 8
     by the Forelady?
 9
                   JUROR NO. 10: Yes, I do.
10
                   THE CLERK: Thank you. Please be
11
     seated.
12
              Juror Number 11, please rise.
              Do you agree with the verdict as stated
13
14
     by the Forelady?
                  JUROR NO. 11: Yes, I do.
15
16
                   THE CLERK: Thank you. Please be
17
     seated.
18
              Juror Number 12, please rise.
              Do you agree with the verdict as stated
19
20
     by the Forelady?
21
                  JUROR NO. 12: Yes, I do.
22
                   THE CLERK: Thank you. Please be
23
     seated.
24
                   THE COURT: All right, the verdict
25
     in the guilt phase of this trial would appear to
                     Gregg B. Wolfe, RPR, CM
                          215-460-1511
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be in order, and it may be recorded.
 1
 2
                  THE CLERK: Members of the jury,
 3
     hearken unto your verdict as the Court has now
     recorded it.
 4
              In the issue joined in Bill of Fourth
 5
 6
     Superseding Indictment Number 05-07-550, between
 7
     the United States of America and Kaboni Savage,
 8
     Robert Merritt, Steven Northington,
 9
     Kidada Savage, you have found the following:
10
              Defendant Kaboni Savage guilty as to
11
     Counts 1 through 7 and 9 through 17, proven as
12
     to Sentencing Factors 1 through 7 and 9 through
13
     15.
14
              Defendant Robert Merritt, quilty as to
15
     Count 1, not guilty as to Counts 9 through 16,
     proven as to Sentencing Factors 9 through 14,
16
17
     not proven as to Sentencing Factors 1 and 15.
18
              Defendant Steven Northington, guilty as
19
     to Counts 1, 5 and 7, proven as to Sentencing
20
     Factors 5 and 7, not proven as to Sentencing
     Factor 1.
21
22
              Defendant Kidada Savage, guilty as to
23
     Counts 1 and 10 through 17, proven as to
24
     Sentencing Factors 9 through 14 and 15, not
25
     proven as to Sentencing Factor 1.
```

1 And so say you all? 2 THE JURY: So say we all. 3 THE CLERK: Thank you. THE COURT: All right, ladies and 4 5 gentlemen, you have completed your task as it 6 relates to the guilt phase of this trial. 7 As I told you, and as you are well 8 aware, we will now move into the penalty phase of the trial. However, at this juncture what 9 we're going to do is recess Court until next 10 11 Monday. It's necessary to do that, ladies and 12 gentlemen, so counsel will have the opportunity 13 to prepare for the penalty phase. 14 Counsel will have to consult with and 15 make arrangements for having witnesses present in the penalty phase, and we're going to give 16 17 them until next Monday to prepare, to get ready, 18 and we will begin the penalty phase next Monday. 19 Now, I want to caution you, as I have 20 cautioned you every time you left this jury box. 21 It's very important that you pay attention to 22 what I'm saying. You have just completed your 23 job as jurors in the quilt phase of this trial, 24 but there is the penalty phase that we have to

> Gregg B. Wolfe, RPR, CM 215-460-1511

25

proceed into.

We do not want you discussing this case with anyone and we don't want anyone discussing this case with you. Do not get outside input, ladies and gentlemen. Your job is not over.

You're going to be back here next week. You're going to hear arguments of counsel, you're going to hear testimony of witnesses and you're going to have to make some decisions. Your job is not over.

We do not want you to get any outside input from any source at all. Don't do any independent investigation of this matter, ladies and gentlemen. Don't read anything about this case. I'm sure that there will be something in

and gentlemen. Don't read anything about this case. I'm sure that there will be something in the media about it at this juncture. Do not read anything about this case or listen to anything about this case. Okay?

You put your hand on a Bible, you swore to well and truly try this case based upon the evidence presented here in this courtroom. And, ladies and gentlemen, that is exactly what we want you to do. Don't get outside input at all. Okay?

At this juncture, I'm going to ask my staff to take you out to your jury room. We

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```
1
     have a few things that we need to do before
 2
     we're going to recess completely for the day.
 3
     When we have accomplished those tasks, we will
     let you go on your way.
 5
              Now, I want you to be back, as I said,
 6
     on Monday and I want you to be back at 9:30.
 7
     Okay? We will begin promptly. Counsel will be
 8
     prepared by then, and we will begin promptly.
     Okay? So we'll see you next Monday at 9:30 in
 9
     the morning, and we will proceed through the
10
11
     next phase of this trial.
12
              (The jury exited the courtroom at
13
     4:17 p.m.)
14
                  THE COURT: Counsel, we're going to
15
     excuse the alternates and tell them to be back
     next week. Then I'll speak with you briefly.
16
17
              While we're waiting for the alternates,
18
     have a seat.
19
              (Whereupon the alternate jurors entered
20
     the courtroom.)
21
                  THE COURT: All right, alternate
22
     members of the jury, at this point what I'm
23
     going to do is excuse you and ask you to be back
24
     here next Monday. Okay?
25
              The 12 original jurors who have been
```

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1
     deliberating in this matter have reached a
 2
     verdict. We have just taken that verdict here
 3
     in open court, but your tour of duty is not over
     as theirs is not over.
              The next phase of this trial, the
 5
 6
     penalty phase, we're going to begin next Monday.
 7
     We're going to give counsel the opportunity to
 8
     get ready for that phase of the trial.
 9
              I'm going to ask you to be back here on
10
     Monday, at 9:30, ready to go, and I'm going to
11
     give you those same instructions that I've given
```

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Don't talk to anybody about this
matter. Don't let anybody talk to you. Don't
do any independent investigation. Don't read
anything about it. Don't listen to anything
about it. Don't get on a computer and
communicate with anybody about it. Take the
matter as it's presented here in this courtroom.

you all the way along in this case.

It may very well be, ladies and gentlemen, that next week one or more of you could get pressed into service in this matter, so it's important that you live up to your oath as jurors. Okay?

So we'll see you next Monday, at 9:30.

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1
     When my staff takes you back to the jury room
 2
     that you've been using during the course of this
 3
     trial, they will advise you as to the verdict
     that was rendered by the jury in this case so
 4
 5
     that you're aware of that. Okay?
 6
              (The alternate jurors were excused from
 7
     the courtroom.)
 8
                  THE COURT: Counsel, here's what
 9
     we're going to do at this point. First of all,
10
     I'm going to let the Marshals clear the
11
     courtroom, and we'll give you some time to talk
12
     with your clients about the situation at this
13
     juncture.
14
              After you've had an opportunity to do
15
     that, I want to meet with counsel in chambers to
16
     talk about where we're going next week. Okay?
17
              You have as much time as you need or
     want to talk with your clients at this juncture,
18
19
     and then I will meet with all counsel,
20
     government counsel included, in chambers and we
21
     will talk about the penalty phase of this trial.
2.2
     Okay?
23
              Recess.
24
              (The Court adjourned the proceedings at
25
     4:23 p.m.)
```

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1	CERTIFICATION
2	
3	
4	I certify that the foregoing is a correct
5	transcript from the record of the proceedings in the
6	above-entitled matter.
7	
8	
9	Date Gregg B. Wolfe, R.P.R., C.M.
10	
11	
12	
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